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10/713,130	11/14/2003	Yoshinori Tomita	450100-02029.1	9561

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EXAMINER
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WERNER, DAVID N

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**DETAILED ACTION**

***Response to Amendment***

Applicant has amended all independent claims to recite a simultaneous generation of "first and second encoded picture data", that is, within a first format and a second format, when still picture data with audio is captured. The previously-cited references all assumed that an image format would be pre-selected by the user, and encoding would only take place in one format, such as JPEG, MJPEG, or MPEG, at image capture time. See for example *Kato*, col. 3: lines 41–53, which describes first beginning moving picture coding in the MJPEG format, but not switching to a different format or encoding in two formats when a user requests a still image capture during motion image coding. This new limitation of simultaneous encoding with two formatting methods requires further search and consideration before a final determination of patentability is made.

/D. N. W./

Examiner, Art Unit 2621

/Mehrdad Dastouri/

Supervisory Patent Examiner, Art Unit 2621